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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,123	04/08/2004	Blake W. Little	65744/P018US/10404217	8209
91502                      7590                      03/25/2010 SonoSite, Inc. / Fulbright & Jaworski, L.L.P. 2200 Ross Avenue Suite 2800 Dallas, TX 75201			EXAMINER TRAN, PHUC H	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/821,123	<b>Applicant(s)</b> LITTLE ET AL.	
	<b>Examiner</b> PHUC TRAN	<b>Art Unit</b> 2471	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12/15/2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25, 28-31, 33 and 34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 25 and 28 is/are allowed.
- 6) ☒ Claim(s) 1-24 and 29-31 is/are rejected.
- 7) ☒ Claim(s) 33 and 34 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claim 2 which has first configuration to provide N to M signal, and second configuration to provide N to M/2 signal must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 6, 7, and 10-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Leavitt et al. (U.S. Patent No. 6491634).

- With respect to claim 1, Leavitt teaches a system comprising: an application specific integrated circuit (ASIC) adapted for use in a plurality of systems (e.g. block 210 in fig. 2), wherein the system is one of the plurality of systems, and each respective system of the plurality of systems has a circuit configuration that uses a different number of signal channels for further processing by said application specific integrated circuit (e.g. signal channels in Fig. 1-7 that communicates in the system between blocks as in Fig. 2).

- With respect to claim 6, Leavitt teaches wherein said ASIC comprises: a circuit configurable to provide a cross point switch function in a first configuration of said circuit configurations and to provide a signal summer function in a second configuration of said circuit configurations (e.g. Fig. 7A shows the cross point switch function and summer for signal).

- With respect to claim 7, Leavitt discloses wherein said cross-point switch function comprises selectively routing signal channels to one or more beam formers (e.g. signals from ASIC to beam former in Fig. 2 and Fig. 3).

- With respect to claim 10, Leavitt teaches a system comprising: an application specific integrated circuit (ASIC) adapted for use in a plurality of circuit configurations (e.g. block 210 in Fig. 2), said circuit configurations providing for different numbers of signal channels for further

Art Unit: 2471

processing using same circuitry of said application specific integrated circuit (e.g. signal channels in Fig. 1-7 that communicates in the system between blocks as in Fig. 2); wherein the ASIC is included in an application comprising a transducer (e.g. block 106 in Fig. 1), a beam former (e.g. blocks 218 and 226 in Fig. 2), and a data path, and wherein the data path is in communication with the ASIC, the transducer, and the beam former (e.g. links in Fig. 2).

- With respect to claim 11, Leavitt discloses wherein the application further comprises a signal processing unit external to the data path and in communication with the data path at a number of points thereon and is operable to capture and insert information in the data path at each of those number of points (e.g. processor 258 in Fig. 2).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-3, 5, 8, 9, and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leavitt et al. (U.S. Patent No. 6491634) in view of Henderson et al. (U.S. Patent No. 6695783).

- With respect to claim 2, Leavitt teaches wherein said ASIC (as in Fig. 2) discloses all the aspect of the claimed invention as set forth above but fails to teach a plurality of multiplexors providing N to M signal multiplexing, wherein in a first configuration of said circuit

Art Unit: 2471

configurations said ASIC is configured to provide N to M signal multiplexing, and wherein in a second configuration of said circuit configuration said ASIC is configured to provide N to M/2 signal multiplexing. Henderson teaches a plurality of multiplexers (as in Fig. 6) for processing signals. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to implement the multiplexors of Henderson into the ASIC (block 210 of Leavitt) for processing to reduce signals.

- With respect to claim 3, Leavitt teaches wherein said ASIC (as in Fig. 2) discloses all the aspect of the claimed invention as set forth above but fails to teach the multiplexer that Henderson teaches wherein said plurality of multiplexors include N signal inputs, M signals outputs (e.g. in fig. 6 number of input and number of output), at least one select signal input, and at least one enable signal input, said enable signal input being utilized in providing said N to M/2 signals multiplexing of said second configuration (Fig. 6-8 as signals input and selected, it is also well known in the art that the multiplexer has input, output signals, select signal and enable signal). Therefore, it would have been obvious to combine for the reason as set forth above with respect to claim 2.

- With respect to claim 5, Leavitt teaches wherein said ASIC (as in Fig. 2) discloses all the aspect of the claimed invention as set forth above but fails to teach the multiplexer which Henderson discloses at least one of said select signals input and said enable signal input comprise a digital serial control bus (e.g. buses in fig. 8). Therefore, it would have been obvious to combine for the reason as set forth above with respect to claim 2.

- With respect to claim 8, Leavitt teaches wherein said ASIC (as in Fig. 2) discloses all the aspect of the claimed invention as set forth above but fails to teach the summer function

Art Unit: 2471

which Henderson also teaches wherein the signal summer function comprises a symmetric signal summing operation (e.g. block 76, 86, 116, and 126 in Fig. 8). Therefore, it would have been obvious to combine for the reason as set forth above with respect to claim 2.

- With respect to claim 9, Leavitt teaches wherein said ASIC (as in Fig. 2) discloses all the aspect of the claimed invention as set forth above but fails to teach the symmetric signal summing which Henderson teaches wherein the symmetric signal summing operation comprises summing one or more signals that are determined to be of similar weight and delay (see col. 3, lines 30-35). Therefore, it would have been obvious to combine for the reason as set forth above with respect to claim 2.

- With respect to claim 29, Leavitt teaches an apparatus comprising: a sonogram imaging (e.g. the system in fig. 1) system including: a transducer (block 106 in Fig. 1); a beam former (e.g. block 218 and 226 in Fig. 2); a data path including a plurality of information channels connecting the transducer to the beam former (e.g. data path in fig. 2); and an ASIC in communication with the data path between the transducer and the beam former (e.g. block 210 in fig. 2). Leavitt fails to teach ASIC including circuitry operable as a bank of multiplexors to decrease a number of the information channels from the transducer to the beam former and the ASIC is controlled by the beam former via a bus (which is inherently known the beam former communicate with ASIC as show in Fib. 2). Henderson teaches a plurality of multiplexers (as in Fig. 6) for processing signals. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to implement the multiplexors of Henderson into the ASIC (block 210 of Leavitt) for processing signals.

- With respect to claim 30, Leavitt teaches wherein said ASIC (as in Fig. 2) discloses all the aspect of the claimed invention as set forth above but fails to teach the circuitry included by the ASIC comprises a summation bus and cross-point switch circuitry. Henderson teaches the summation bus (Fig. 8 shows summation of bus and the switch circuitry of signals from FIFO). Therefore, it would have been obvious to a person of ordinary skill in the art at time of the invention was made to implement the Henderson's ASIC into Leavitt's ASIC for multiplexing and switching signals in the system.

- With respect to claim 31, Leavitt teaches wherein said ASIC (as in Fig. 2) discloses all the aspect of the claimed invention as set forth above but fails to teach wherein the summation bus is operable to decrease a number of information channels between the transducer and the beam former. Henderson teaches the multiplexers (in Fig. 8 shows the multiplexer from 2:1), Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to implement the ASIC of Henderson to the ASIC of Leavitt for multiplexing signals in the system.

5. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leavitt et al. (U.S. Patent No. 6491634) in view of Beshai (Pub. No. 2003/0185205).

- With respect to claims 12 and 13, Leavitt teaches a method configuring an ASIC adapted for use in a plurality of systems (e.g. block 210 in fig. 2), wherein each system has a circuit configuration that uses a different number of channels, to provide said determined number of channels (e.g. signal channels in Fig. 1-7 that communicates in the system between blocks as in Fig. 2). Leavitt fails to teach determining a number of channels for use in a data path. Beshai



Art Unit: 2471

teaches the number channels in the path (see paragraph 23) for determining the capacity of the flow path. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to implement the method of determining number of channels in the path for determining the capacity of the path.

6. Claims 14, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leavitt et al. (U.S. Patent No. 6491634) and Beshai in further view of Henderson et al. (U.S. Patent No. 6695783).

- With respect to claim 14, Leavitt and Beshai teach wherein said ASIC (as in Fig. 2) discloses all the aspect of the claimed invention as set forth above but fails summing data on each of at least two channels by the ASIC. Henderson teaches the summation bus (Fig. 8 shows summation of bus signals from FIFO). Therefore, it would have been obvious to a person of ordinary skill in the art at time of the invention was made to implement the Henderson's ASIC into Leavitt's ASIC for multiplexing and switching signals in the system.

- With respect to claim 19, Leavitt and Beshai teach wherein said ASIC (as in Fig. 2) discloses all the aspect of the claimed invention as set forth above but fails to teach the multiplexors decrease a number of information channels between the transducer and the beam former. Henderson teaches the multiplexers (in Fig. 8 shows the multiplexer from 2:1), Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to implement the ASIC of Henderson to the ASIC of Leavitt for multiplexing signals in the system.

- With respect to claim 20, Leavitt and Beshai teach wherein said ASIC (as in Fig. 2) discloses all the aspect of the claimed invention as set forth above but fails to teach wherein the

Art Unit: 2471

multiplexors are 2:1 multiplexors, and wherein operating as a plurality of multiplexors comprises selectively enabling one of every two 2:1 multiplexors, thereby providing 4:1 multiplexing functionality. Henderson teaches wherein said plurality of multiplexors include 2:1 multiplexors (e.g. in fig. 6 number of input and number of output), at least one select signal input, and at least one enable signal input, said enable signal input being utilized in providing said N to M/2 signals multiplexing of said second configuration (Fig. 6-8 as signals input and selected, it is also well known in the art that the multiplexer has input, output signals, select signal and enable signal). Therefore, it would have been obvious to combine for the reason as set forth above with respect to claim 2.

#### ***Allowable Subject Matter***

Claims 25 and 28 are allowed.

Claims 33-34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Amendment***

Applicant's arguments filed 12/15/2009 have been fully considered but they are not persuasive.

- Regarding to Applicant's argument that "Leavitt does not teach that item 210 is adapted for use in a plurality systems..." Examiner respectfully disagrees. In Fig. 1 of Applicant, the

Art Unit: 2471

ASIC adapted for used with system transducer 101 and control/processing unit 103 which is the same as Leavitt teaches in Fig. 2 the ASIC 210 adapted for used with transducer 22 and sub beamformer 218. Therefore, Leavitt teaches all limitation in claim 1.

- Regarding to Applicant's argument that "Leavitt does not teach said cross-point switch function..." Examiner respectfully disagrees. In the summary of Applicant, paragraph 7, Applicant discloses the bank of multiplexors or as a summer/cross-point switch", which is consider as Fig. 3 of Leavitt.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUC TRAN whose telephone number is (571)272-3172. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CHI PHAM can be reached on 57127233179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2471

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PHUC H TRAN/

Primary Examiner, Art Unit 2416